

NAYS—4

Dodd
FeingoldLevin
Wyden

NOT VOTING—4

Biden
KerryLincoln
Rockefeller

The PRESIDING OFFICER. On this vote, the yeas are 92, the nays 4. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. LEVIN. Mr. President, I voted against the motion to invoke cloture on the supplemental appropriations bill because it will have the effect of preventing the consideration of a number of important and relevant amendments.

There are more than a hundred amendments which have been filed on this bill. Several are important amendments, such as Senator WYDEN's amendment to prevent funds from being used to continue discounts given to the oil companies on royalties which otherwise would be paid to the Federal Government for production of oil and/or natural gas on Federal lands. Another example is the bipartisan amendment that I offered with Senators COLLINS and REED to require reports to Congress on progress toward a national unity government in Iraq.

Too frequently in recent years, we see a pattern of slowing down consideration of amendments or filling the amendment tree to block them altogether, followed by cloture to end debate and further restricting or preventing the consideration of amendments. The Senate, which has often been referred to as "the world's greatest deliberative body" and which historically has been characterized by the quality of its debate, should not permit this pattern of preventing the consideration of, and votes on, amendments to become the norm.

When I came to the Senate, the leadership did not as a routine approach try to prevent consideration of amendments they didn't agree with. Instead, they attempted to amend them or simply vote against them. In recent years, we see more and more bills on which amendments are limited or blocked entirely, more like the House. On the PATRIOT Act, this year, for example, the amendment tree was completely filled by the leadership, a procedural technique for preventing any amendments from being considered, and none were.

Mr. President, I support the funding for the troops in Iraq and Afghanistan, and I support the emergency assistance for the gulf coast in the wake of Hurricane Katrina. I intend to support this bill on final passage in the Senate. I am opposed, however, to the use of this procedure to limit debate and the consideration of amendments.

AMENDMENT NO. 3617

Mr. MCCAIN. Mr. President, I have an amendment at the desk, No. 3617. I ask for its immediate consideration.

The PRESIDING OFFICER. The amendment is pending. It is now the regular order.

The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, this amendment would strike the \$6 million earmark for sugarcane growers in Hawaii, which was not included in the administration's emergency supplemental request.

I would again remind my colleagues of the Statement of Administration Policy which was issued on April 25, obviously on the legislation now being considered. Again, this has been repeated several times in the Chamber, but I think it is important to again quote from the administration's statement, saying:

The administration is seriously concerned with the overall funding level and the numerous unrequested items included in the Senate bill that are unrelated to the war or emergency hurricane relief needs. The final version of the legislation must remain focused on addressing urgent national priorities while maintaining fiscal discipline. Accordingly, if the President is ultimately presented a bill that provides more than \$92.2 billion, exclusive of funding for the President's plan to address pandemic influenza, he will veto the bill.

The administration statement goes on to say:

The administration strongly opposes the committee's agricultural assistance proposal totaling nearly \$4 billion. The 2002 farm bill was designed, when combined with crop insurance, to eliminate the need for ad hoc disaster assistance. In 2005, many crops had record or near record production and the U.S. farm sector cash receipts were the second highest ever. Furthermore, the proposed level of assistance is excessive and may overcompensate certain producers for their losses.

So the administration is pretty clear about this issue of these add-ons which have ballooned this bill from \$92 billion to \$105 billion or so.

I also point out for my colleagues' benefit that the American people are growing very weary of this earmarking process. Last Thursday, there was a poll published in the Wall Street Journal, which is an NBC News/Wall Street Journal poll, and it was interesting in that it says:

In particular, Americans who don't approve of Congress blame their sour mood on partisan contention and gridlock in Washington. Some 44 percent call themselves "tired of Republicans and Democrats fighting each other." Thirty-six percent say nothing seems to get done on important issues. Further, 34 percent cite corruption among lawmakers. Among all Americans, a 39 percent plurality say the single most important thing for Congress to accomplish this year is curtailing budgetary earmarks benefiting only certain constituents.

If there is ever a bill that would emphasize the frustration Americans have felt, it is this legislation that is before us.

A worthy cause, although I intend, along with others, to stop this business of continuing to fund the war in Iraq, which has been going on now a number of years now, the "emergency supplemental," it is long overdue and time to focus on the normal budgetary process because we know we will be spending

money on Iraq, unfortunately, for a long period of time. But this vehicle in itself is a violation of the normal procedures of the Senate because it should be authorized and then appropriated. But this vehicle is then, of course, used to load up unnecessary, unwanted, unfortunate, and sometimes outrageous additional spending.

For example, in this bill, which is not subject to this amendment, we have \$15 million to the USDA Ewe Lamb Replacement and Retention Program. This program already exists and is meant to assist with lamb breeding stock needs, not hurricane recovery; \$400,000 goes to the Rio Grande Valley sugar growers for assistance with sugarcane storage and transportation costs to the port of Baton Rouge, LA. Among the many sugar growers nationwide, why are we providing an earmark to this particular group?

There is \$120 million for sugarcane and sugar beet disaster assistance in Florida. Rather than using existing USDA disaster assistance programs, this legislation would establish a special program that caters directly and solely to Florida sugar. By the way, it is one of the most heavily subsidized industries in America today.

There is \$6 million to compensate owners of flooded crop and grazing land in North Dakota. Hurricanes in North Dakota? North Dakota is one of the nation's top producers of, you guessed it, sugar.

Mr. President, the amendment I offer today would strike an earmark in the bill that provides \$6 million to sugarcane growers in Hawaii. Obviously, the Hawaiian lands were not anywhere near the path of the 2005 hurricanes. Certainly it is appropriate that any farmer impacted by a natural disaster can seek Federal assistance which, as I already said, is why there are existing USDA disaster recovery programs authorized under the 2002 farm bill. But in this case the appropriators are establishing a special program that caters directly to Hawaiian sugar growers via a must-pass emergency appropriations bill.

I think it is important that we continue to go back, as we argue the merits or demerits of these earmarks, to the fact that this is the "Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery." Hawaiian sugar growers do not fit in any of those categories.

According to this bill, according to the legislation before us, the Secretary shall use \$6 million to "assist sugarcane growers in Hawaii by making a payment in that amount to an agricultural transportation cooperative in Hawaii, the members of which are eligible to receive marketing assistance loans and loan deficiency payments."

What does that mean? I can only assume this funding will be directed to the Hawaii Sugar and Transportation Cooperative, the only entity that received \$7.2 million from a nearly identical provision in last year's, guess